

## Remarks

Applicants have carefully considered the Office Action dated July 14, 2005 and the references cited therein. Applicants respectfully request reexamination and reconsideration of the application.

Claims 1-6 have been indicated as allowable. Applicants and their attorney are grateful for the examiner having found allowable subject matter.

Claims 13-18 have been objected to and have been rejected under 35 USC section 101 as nonstatutory subject matter. Claim 13 has been amended as suggested by the Examiner and now recites a "computer program product comprising a computer readable medium having computer readable program code thereon" (claim 13, lines 3-5). Claims 14-18 depend either directly or indirectly from claim 13 and therefore include this limitation as well. Applicants believe this amendment addresses the objections and rejections to the claims as set forth by the examiner. These amendments have not been made to distinguish over any reference of record and no narrowing of any corresponding equivalents to which the amended limitation(s) or claim(s) is/are entitled is intended by these amendments.

Claims 19-20 have been rejected under 35 USC section 101 as nonstatutory subject matter. Claim 19 has been amended and now recites a "A computer data signal embodied in a computer readable medium" (claim 19, lines 1-2). Claim 20 depends directly from claim 19 and therefore include this limitation as well. Applicants believe this amendment addresses the nonstatutory subject matter rejection to claims 19-20 as set forth by the examiner. These amendments have not been made to distinguish over any reference of record and no narrowing of any corresponding equivalents to which the amended limitation or claim is entitled is intended by these amendments.

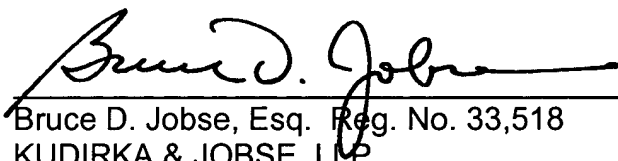
Claims 7-12 have also been rejected under 35 USC section 101 as nonstatutory subject matter. In setting forth the rejection the examiner has indicated that in view of applicants disclosure, the medium is not limited to tangible embodiments and, as such, the claim is not limited statutory subject matter and is therefore nonstatutory. Applicants respectfully traverse such rejection. Claim 7 specifically recites an "*Apparatus* for encrypting an electronic message composed by a sender..." (claim 7, lines 1-2;

emphasis added). Applicants respectfully assert that the illustrative embodiment(s) of the invention disclosed within the specification disclose an exemplary structural context, e.g. a computer system, in which the inventive apparatus may be implemented and, therefore, that the invention, as recited in claims 7-12 are statutory. Accordingly, Applicants believe claims 7-12 in their current format are in allowable condition.

Any amendments to the claims as set forth herein, including the addition, cancellation, or withdrawal of any claims, have been offered to advance this application to issue. None of the amendments made herein should be construed as an admission that the subject matter of the claims, as originally filed, is anticipated by or made obvious in light of any art of record whether considered singularly or in combinations. Applicant expressly reserves the right to pursue the originally filed claims in another co-pending application without being prejudiced by any amendments, including cancellation of claims, made herein.

Applicants believe the claims are in allowable condition. A notice of allowance for this application is solicited earnestly. If the Examiner has any further questions regarding this amendment, he/she is invited to call Applicants' attorney at the number listed below. The Examiner is hereby authorized to charge any fees or credit any balances under 37 CFR §1.17, and 1.16 to Deposit Account No. DA-12-2158.

Respectfully submitted,



Date: \_\_\_\_\_

7/21/05

Bruce D. Jobse, Esq. Reg. No. 33,518  
KUDIRKA & JOBSE, LLP  
Customer Number 021127  
Tel: (617) 367-4600 Fax: (617) 367-4656